HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.19134 of 2002

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Between:

K. Veeresh Murthy …Petitioner.

And

Deputy Registrar of Co-operative
Societies/Officer on Special Duty,
The Vasavi Co-op. Urban Bank Ltd.,
Hyderabad and two others. ….Respondents.

:: O R D E R ::

Counsel for the petitioner : Sri R. N. Hemendranath Reddy

1st May, 2007

Per G.S. SINGHVI, C.J.

In this petition, the petitioner has prayed for quashing notice

dated 29-8-2002 issued by Deputy Registrar of Co-operative Societies-cum-Officer on Special Duty, The Vasavi Co-operative Urban Bank Ltd. under Rule 52(11)(e) of the Andhra Pradesh Co-operative Societies Rules, 1964.

The main ground on which the petitioner has questioned the legality of the auction notice is that after enactment of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993, recovery of debts due to the cooperative societies cannot be effected under the Andhra Pradesh Cooperative Societies Act, 1964.

At the hearing, learned counsel for the petitioner fairly stated that in view of the judgment of the Supreme Court in **Greater Bombay Co-operative Bank Ltd. v. M/s. United Yarn Tex. Pvt. Ltd.**[1], the writ petition is liable to be dismissed. Ordered accordingly.

G.S.SINGHVI, C.J.

1st May, 2007

C.V.NAGARJUNA REDDY, J.

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[1] (2007) 3 SCJ 415